

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH60652-MA-85B (11/29)

Short Title: Secret Compartments in Motor Vehicles.

(Public)

Sponsors: Representative Moore.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO MAKE FALSE, HIDDEN, OR SECRET COMPARTMENTS IN A
VEHICLE UNLAWFUL AND TO APPROPRIATE ONE HUNDRED
THOUSAND DOLLARS TO THE DEPARTMENT OF CRIME CONTROL AND
PUBLIC SAFETY FOR GRANTS TO LOCAL LAW ENFORCEMENT
AGENCIES TO HELP OFFSET THE COST OF ENFORCING THIS ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 90 of the General Statutes is amended by adding a
new section to read:

"§ 90-108.1. Vehicles with false, hidden, or secret compartments.

(a) Definitions. –

(1) False or secret compartment means any enclosure that is intended and
designed to be used to conceal, hide, or prevent discovery by law
enforcement officers of the false, hidden, or secret compartment, or its
contents, and which is integrated into or attached to a vehicle. The
term "false, hidden, or secret compartment" includes, but is not limited
to:

a. False, altered, or modified fuel tank.

b. Any original factory equipment on a vehicle that has been
modified to conceal, hide, or prevent discovery of its contents.

c. Any compartment, space, or box that is added or attached to
existing compartments, spaces, or boxes integrated into or
attached to a vehicle.

(2) Vehicle includes, but is not limited to, cars, trucks, buses, motorcycles,
mopeds, bicycles, aircraft, helicopters, boats, ships, yachts, railcars,
rail engines, and any other property that may be attached to, pulled,
towed, or drawn by a vehicle.

1 (b) For the purposes of this section, a person's intention to use a false, hidden, or
2 secret compartment to conceal the contents of the compartment from a law enforcement
3 officer may be inferred from factors including, but not limited to, the discovery of:

4 (1) A person, firearm, controlled substance, alcoholic beverages, or other
5 contraband within the false, hidden, or secret compartment; or

6 (2) Evidence of the previous placement of a person, firearm, controlled
7 substance, alcoholic beverage, or other contraband within the false,
8 hidden, or secret compartment.

9 (c) It is unlawful for any person to own or operate any vehicle he or she knows to
10 contain a false or secret compartment. It is unlawful for any person to install, create,
11 build, or fabricate a false, hidden, or secret compartment in any vehicle.

12 (d) Any vehicle containing a false, hidden, or secret compartment, as well as any
13 items within that compartment, shall be subject to seizure by any law enforcement
14 agency or law enforcement officer within whose jurisdiction that property is found.

15 (e) Any property seized under this section shall be subject to the forfeiture
16 procedures contained in G.S. 90-112 regardless of the items or contraband found in the
17 false, hidden, or secret compartment. The remission and mitigation provisions of
18 G.S. 90-112.1 shall not apply to seizures made pursuant to this section.

19 (f) A violation of this section is punishable as a Class I felony."

20 **SECTION 2.** There is appropriated from the General Fund to the
21 Department of Crime Control and Public Safety the sum of one hundred thousand
22 dollars (\$100,000) to be used for grants to local law enforcement agencies to offset the
23 costs of enforcing Section 1 of this act.

24 **SECTION 3.** This act becomes effective October 1, 2006.